

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60318 of 2018

Arising Out of PS.Case No. -350 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Jay Shankar Ray,
2. Jata Sankar Ray @ Shankar Ray, Both S/o Sri Ramanand Ray,
3. Rajendra Ray,
4. Lalan Ray Both S/o Late Tej Narayan Ray,
5. Bittu Kumar @ Bittu Ray S/o Sri Jay Shankar Ray,
6. Mangal Ray,
7. Bikash Ray @ Bikash Kumar Both S/o Sri Lalan Ray, 1 to 7 are R/o Vill.- Sansarpur, P.S.- Khagaria Mufasil, Distt.- Khagaria.
8. Prince Kumar S/o Sri Navnit Kr. Sharma, R/o Nayagoan, P.S.- Parbatta, Distt.- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-10-2018 Earlier, the petition filed by the petitioners for grant of anticipatory bail was disposed of vide order dated 25.6.2018 passed in Cr. Misc. No. 25575 of 2018, with direction to the petitioners to surrender before the court below and pray for regular bail and the court below was directed to pass an appropriate order after considering the fact that the petitioners were earlier on police bail.

However, the petitioners again moved before the court below for grant of anticipatory bail, which was dismissed vide order dated 24.08.2018 passed by learned Sessions Judge



Khagaria in A.B.A. No. 686 of 2018. Thereafter, the petitioners have moved before this Court for grant of anticipatory bail.

It has been submitted by learned counsel for the petitioners that now cognizance has been taken under Section 307 of the Indian Penal Code and, therefore, he has moved for grant of anticipatory bail.

Heard learned A.P.P. also.

In my opinion, whatever the circumstances would be, the petitioners ought to have surrendered as per order dated 25.6.2018 passed by this Court in Cr. Misc. No. 25575 of 2018. In such view of the matter, I am not inclined to grant anticipatory bail to the petitioner rather this application is disposed of with direction to the petitioners to surrender before the court below and pray for regular bail and if any such application is filed, the court below shall consider the same and shall pass an appropriate order, if possible on same days, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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